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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,489	06/18/2001	Michael Aaron Kaply	AUS920010407US1	4140

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EXAMINER

SMITH, PETER J

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 04/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/884,489

Applicant(s)

KAPLY ET AL.

Examiner

Peter J Smith

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,8-28 and 31-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,8-28 and 31-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: amendment filed 1/21/2005.
2. Claims 1-5, 8-28, and 31-46 are pending in the case. Claims 1, 11, 16, 18, 20, 21, 22, 23, 24, 34, 39, 41, 43, 44, 45, and 46 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 11-15, 21, 34-38, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over “Surf Smart!”,**
[<http://web.archive.org/web/20001018074520/http://cexx.org/gofaster.htm>], published on the Internet on 10/18/2000, pages 1-4 in view of “HistoryKill”,
[<http://web.archive.org/web/20000304120647/http://www.historykill.com/>], published on the Internet on 3/4/2000, pages 1-2.

Regarding independent claims 11, 34, and 44, Surf Smart teaches responsive to receiving a particular Web page, displaying an option to prevent recording a history and responsive to a user input selecting the option, disabling processes used to record the history in
page 2. Surf Smart does not teach wherein the user input is the entry of a selected user identification. HistoryKill does teach wherein user input disabling recording processes associated with a browser is the entry of selected user identification in page 1. It would have

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been obvious to one of ordinary skill in the art at the time the invention was made to have modified Surf Smart with the teaching of HistoryKill to have created the claimed invention. It would have been obvious and desirable to have used the user identification of HistoryKill to have personalized the disabling of history recording processes for each user of Surf Smart.

Regarding dependent claims 12 and 35, Surf Smart teaches wherein the history includes at least one of a disk cache, a history list, and a cookie file in pages 2 and 3.

Regarding dependent claims 13-14 and 36-37, Surf Smart teaches in pages 1-2 that JavaScripts embedded in web pages may alter the form and function of the Web browser. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified a Surf Smart to have used a JavaScript embedded in a Web page to have selectively prevented history information from being recorded for the Web page so that the user's privacy is respected by the Web site.

Regarding dependent claims 15 and 38, Surf Smart teaches responsive to a user input selecting the option, removing any history information associated with the Web page in pages 2 and 3.

Regarding independent claim 21, Surf Smart teaches software that runs on a computer in pages 1-3 and a computer contains a bus system a communications unit connected to the bus system, a memory connected to the bus system, and a processing unit connected to the bus system. Surf Smart teaches responsive to receiving a particular Web page, displaying an option to prevent recording a history and responsive to a user input selecting the option, disabling processes used to record the history in page 2. Surf Smart does not teach wherein the user input is the entry of a selected user identification. HistoryKill does teach wherein user input disabling

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recording processes associated with a browser is the entry of selected user identification in page

1. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Surf Smart with the teaching of HistoryKill to have created the claimed invention. It would have been obvious and desirable to have used the user identification of HistoryKill to have personalized the disabling of history recording processes for each user of Surf Smart.

5. Claims 1-5, 8-10, 20, 24-28, 31-33, and 43 rejected under 35 U.S.C. 103(a) as being unpatentable over “Surf Smart!”,

[<http://web.archive.org/web/20001018074520/http://cexx.org/gofaster.htm>], published on the Internet on 10/18/2000, pages 1-4 in view of “HistoryKill”,

[<http://web.archive.org/web/20000304120647/http://www.historykill.com/>], published on the Internet on 3/4/2000, pages 1-2 and Janis et al. (hereinafter “Janis”), US 5,155,850 patented 10/13/1992.

Regarding independent claims 1, 24, and 43, Surf Smart teaches receiving user input and responsive to receiving the user input, disabling the history recording processes associated with the browser page 3. Surf Smart does not teach wherein the user input is the entry of a selected user identification. HistoryKill does teach wherein user input disabling recording processes associated with a browser is the entry of selected user identification in page 1. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Surf Smart with the teaching of HistoryKill to have created the claimed invention.

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It would have been obvious and desirable to have used the user identification of HistoryKill to have personalized the disabling of history recording processes for each user of Surf Smart.

Surf Smart does not teach wherein an identified session is identified based on the selected user identification. Janis does teach wherein an identified history recording session is identified based on the selected user identification in the abstract, fig. 3, col. 2 lines 35-56, and col. 5 line 34 – col. 6 line 38. It would have been obvious and desirable to one of ordinary skill in the art at the time of the invention to have incorporated the history recording inclusion and exclusion of Janis to have improved Surf Smart so that only history recording desired by the user was saved as is taught by Janis in col. 2 lines 24-56.

Regarding dependent claims 2 and 25, Surf Smart teaches wherein the user input is one of a selection, of a button, a selection of a menu option, or setting of a preference in page 3.

Regarding dependent claims 3 and 26, Surf Smart teaches wherein the preference is to disable the history recording processes when the browser is started in page 3.

Regarding dependent claims 4 and 27, Surf Smart teaches wherein the preference is to disable the history recording processes when a selected Web site is visited in page 2. Surf Smart teaches that cookies can be blocked from being recorded for specific Web sites and allowed for other specific Web sites.

Regarding dependent claims 5 and 28, Surf Smart teaches wherein the history recording processes includes at least one of a disk cache process, a history list process, a location list process, and a cookie storage process in pages 2 and 3.

Regarding dependent claims 8 and 31, Surf Smart does not teach wherein the selected user identification is a temporary user identification. HistoryKill teaches wherein user input

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disabling recording processes associated with a browser is the entry of selected user identification in page 1. Guest logins at the time of the invention were temporary user identifications and used in controlled-access computer systems to prevent a temporary guest user from altering the personal data of a permanent user. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined HistoryKill into Surf Smart to have created the claimed invention. It would have been obvious and desirable to have used a temporary user identification to have disabled the history recording processes so that the temporary user did not alter the history data of the permanent user of the computer system.

Regarding dependent claims 9 and 32, Surf Smart teaches wherein the history recording processes are those for a particular domain in page 2.

Regarding dependent claims 10 and 33, Surf Smart teaches wherein the disabling step includes removing any history information recorded by the browser in pages 2 and 3.

Regarding independent claim 20, Surf Smart teaches software that runs on a computer in pages 1-3 and a computer contains a bus system a communications unit connected to the bus system, a memory connected to the bus system, and a processing unit connected to the bus system. Surf Smart teaches receiving user input and responsive to receiving the user input, disabling the history recording processes associated with the browser page 3. Surf Smart does not teach wherein the user input is the entry of a selected user identification. HistoryKill does teach wherein user input disabling recording processes associated with a browser is the entry of selected user identification in page 1. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Surf Smart with the teaching of HistoryKill to have created the claimed invention. It would have been obvious and desirable to

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have used the user identification of HistoryKill to have personalized the disabling of history recording processes for each user of Surf Smart.

Surf Smart does not teach wherein an identified session is identified based on the selected user identification. Janis does teach wherein an identified history recording session is identified based on the selected user identification in the abstract, fig. 3, col. 2 lines 35-56, and col. 5 line 34 – col. 6 line 38. It would have been obvious and desirable to one of ordinary skill in the art at the time of the invention to have incorporated the history recording inclusion and exclusion of Janis to have improved Surf Smart so that only history recording desired by the user was saved as is taught by Janis in col. 2 lines 24-56.

6. Claims 18-19, 23, 41-42, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over “HistoryKill”,
[<http://web.archive.org/web/20000304120647/http://www.historykill.com/>], published on the Internet on 3/4/2000, pages 1-2.

Regarding independent claims 18, 41, and 46, HistoryKill teaches responsive to a selected event, discarding history information for a session on pages 1-2. HistoryKill teaches accepting user input to display an identification of domains in which history information is collected in pages 1-2. A cookie manager displays a list of domains and their related cookie history information. A user can selectively remove the history information for each domain. HistoryKill teaches wherein user input disabling recording processes associated with a browser is the entry of selected user identification in page 1.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified HistoryKill to have created the claimed invention. It would have been obvious and desirable to have used the selective domain identification contained in the Web browser configuration to have improved the discarding of history information in response to a selective event as taught by HistoryKill so that user could have only removed history information for selected Web sites as is the purpose of selective cookie deleting in the cookie manager of a Web browser. HistoryKill teaches in page 2 that the Auto-Clearing and Auto-Configure features enable a user to avoid manually clearing history information after each session. The combination of teachings would have allowed certain domains of history information to be retained automatically while removing only specific history information.

Regarding dependent claims 19 and 42, HistoryKill teaches an Auto-Configure of browser preferences in page 2. The auto-configure can discard history information when the browser is terminated.

Regarding independent claim 23, HistoryKill teaches a software package which runs on a computer in pages 1-2. The computer must comprise a bus system, a communications unit connected to the bus system, and a memory connected to the bus system, wherein the memory includes a set of instructions. HistoryKill teaches responsive to a selected event, discarding history information for a session on pages 1-2. HistoryKill teaches accepting user input to display an identification of domains in which history information is collected in pages 1-2. HistoryKill teaches wherein user input disabling recording processes associated with a browser is the entry of selected user identification in page 1. A cookie manager displays a list of domains

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and their related cookie history information. A user can selectively remove the history information for each domain.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified HistoryKill to have created the claimed invention. It would have been obvious and desirable to have used the selective domain identification contained in the Web browser configuration to have improved the discarding of history information in response to a selective event as taught by HistoryKill so that user could have only removed history information for selected Web sites as is the purpose of selective cookie deleting in the cookie manager of a Web browser. HistoryKill teaches in page 2 that the Auto-Clearing and Auto-Configure features enable a user to avoid manually clearing history information after each session. The combination of teachings would have allowed certain domains of history information to be retained automatically while removing only specific history information.

7. Claims 16-17, 22, 39-40, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over “HistoryKill”, [http://web.archive.org/web/20000304120647/http://www.historykill.com/], published on the Internet on 3/4/2000, pages 1-2 in view of Janis et al. (hereinafter “Janis”), US 5,155,850 patented 10/13/1992.

Regarding independent claims 16, 39, and 45, HistoryKill teaches responsive to a selected event, discarding history information for a session on pages 1-2. HistoryKill teaches accepting user input to indicate whether history information should be discarded for the session or not in pages 1-2. HistoryKill teaches wherein user input disabling recording processes

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associated with a browser is the entry of selected user identification in page 1. HistoryKill does not teach receiving user input selecting a session from the identification of sessions and discarding history information for the session.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified HistoryKill to have accepted user input to identify a session in response to a selected event so that the user could have sometimes discarded history information and other times retained history information. HistoryKill teaches in page 1 that user input can discard selective history information and retain other history information, thus teaching that a user may not always wish to discard all history information. Therefore, the preference of user to not always remove history information, or not remove all history information would have motivated this modification.

HistoryKill does not teach wherein an identified session is identified based on the selected user identification. Janis does teach wherein an identified history recording session is identified based on the selected user identification in the abstract, fig. 3, col. 2 lines 35-56, and col. 5 line 34 – col. 6 line 38. It would have been obvious and desirable to one of ordinary skill in the art at the time of the invention to have incorporated the history recording inclusion and exclusion of Janis to have improved HistoryKill so that only history recording desired by the user was saved as is taught by Janis in col. 2 lines 24-56.

Regarding dependent claims 17 and 40, HistoryKill teaches an Auto-Configure of browser preferences in page 2. The auto-configure can discard history information when the browser is terminated.

Regarding independent claim 22, HistoryKill teaches a software package which runs on a computer in pages 1-2. The computer must comprise a bus system, a communications unit connected to the bus system, and a memory connected to the bus system, wherein the memory includes a set of instructions. HistoryKill teaches responsive to a selected event, discarding history information for a session on pages 1-2. HistoryKill teaches accepting user input to indicate whether history information should be discarded for the session or not in pages 1-2. HistoryKill teaches wherein user input disabling recording processes associated with a browser is the entry of selected user identification in page 1. HistoryKill does not teach receiving user input selecting a session from the identification of sessions and discarding history information for the session.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified HistoryKill to have accepted user input to identify a session in response to a selected event so that the user could have sometimes discarded history information and other times retained history information. HistoryKill teaches in page 1 that user input can discard selective history information and retain other history information, thus teaching that a user may not always wish to discard history information. Therefore, the preference of user to not always remove history information, or not remove all history information would have motivated this modification.

HistoryKill does not teach wherein an identified session is identified based on the selected user identification. Janis does teach wherein an identified history recording session is identified based on the selected user identification in the abstract, fig. 3, col. 2 lines 35-56, and col. 5 line 34 – col. 6 line 38. It would have been obvious and desirable to one of ordinary skill

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in the art at the time of the invention to have incorporated the history recording inclusion and exclusion of Janis to have improved HistoryKill so that only history recording desired by the user was saved as is taught by Janis in col. 2 lines 24-56.

Response to Arguments

8. Applicant's arguments with respect to claims 1-5, 8-10, 16-17, 20, 22, 24-28, 31-33, 39-40, 43, and 45 regarding the new limitation "wherein the identified session is identified based on the selected user identification" have been considered but are moot in view of the new ground(s) of rejection. Upon further consideration, the Examiner has applied the previous cited reference of Janis et al. to teach this new limitation.

9. Applicant's arguments filed 1/21/2005 have been fully considered but they are not persuasive. Regarding Applicant's arguments that Surf Smart does not teach receiving a user input which is the entry of user identification, the Examiner has used the teaching of HistoryKill to teach receiving a user identification input. The Examiner believes the teachings of Surf Smart and HistoryKill would have been known to one of ordinary skill in the art at the time of the invention and it would have been obvious to have used user identification input to have manipulated individual history records.

Regarding Applicant's arguments that Surf Smart does not teach the limitation of claim 5, the Examiner respectfully disagrees. The claim requires that the invention disable history recording processes includes at least one of a disk cache process, a history list process, a location

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list process, and a cookie storage process. Surf Smart teaches disabling at least one of the history recording processes of that list.

Regarding Applicant's arguments that Surf Smart does not teach a temporary user identification as described in claim 8, the Examiner does not rely on the teachings of Surf Smart to teach this limitation. HistoryKill teaches wherein user input disabling recording processes associated with a browser is the entry of selected user identification in page 1. Guest logins at the time of the invention were temporary user identifications and used in controlled-access computer systems to prevent a temporary guest user from altering the personal data of a permanent user. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined HistoryKill into Surf Smart to have created the claimed invention.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter J Smith whose telephone number is 571-272-4101. The examiner can normally be reached on Mondays-Fridays 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PJS
4/27/2005


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER